

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: S.C.M. Lin

Certificate of Transmission
Pursuant to 37 C.F.R. § 1.8

Serial No.: 10/092,685

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For: Electrical Contact
Arrangement for
Hearing Instruments

/Joel Miller/
Signature

June 12, 2008
Date of Signature

Filed: March 7, 2002

Art Unit: 2614

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29,955
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Examiner: Phylesha L. Dabney

Att'y Dkt.: 2002 P 3667 US 02

Reply Brief on Appeal

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Via EFS-Web

Sir:

This reply brief is submitted in response to the Examiner's Answer
mailed June 10, 2008. The sections below correspond to similarly-numbered
sections in the answer.

(2) Related Appeals and Interferences

Although the answer asserts on page 2 that the brief does not
contain a statement identifying related appeals and interferences, the brief
on appeal states on page 1, in section (ii), that there are none.

(9) Grounds of Rejection.

The answer incorrectly characterizes element 140 of Robinson et al. as a component of the battery door (“battery door (101, 140)” on page 3, line 14; “battery door portion (101, 140)” on page 4, line 11, and page 8, line 5).

While element 101 of Robinson et al. is described in the reference as a “battery door” (col. 2, line 54), element 140 is a retaining flange (col. 4, line 7). It is not part of the door 101 but rather is located on the inside surface of the faceplate 10. "The retaining flange 140 retains the battery 108 when it is inserted in the battery compartment 80." Robinson et al., col. 4, lines 9-10; Figs. 2 and 3 (below).

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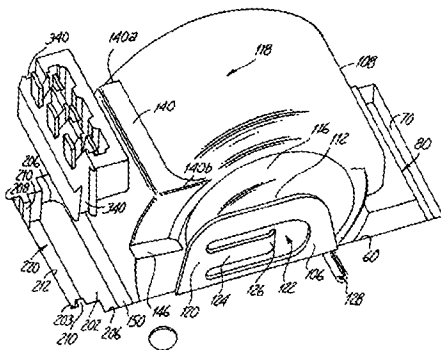


FIG. 2

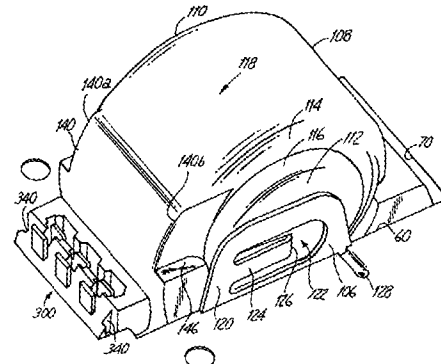


FIG. 3

Even assuming arguendo that the discrete programmable module 300 of Robinson et al. meets the applicant’s claimed “electrical programming contact assembly” (claims 1 and 5) or “electrical programming contact”

(claim 9), neither the module 300 nor any of its components is “adjacent and conforming to the contour of the battery door” (claims 1, 5, and 9). For at least this reason, the claims distinguish over Robinson et al.

Conclusion

For at least the foregoing reasons and the arguments presented in the applicant’s brief on appeal, the applicant disagrees with the other statements in the examiner’s answer. Therefore, the applicant requests that the Board reverse the examiner and direct that the application be passed to allowance.

Dated: June 12, 2008

Respectfully submitted,

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